

1 169.20 (2) (a) The department shall issue a hound dog training license to any  
2 individual who is at least 12 years of age, or the age specified by the department by  
3 rule under s. 29.592 (5), whichever age is lower, and who pays the applicable fee.

4 \*b0284/4.7\* SECTION 2913w. 169.33 (2) (d) of the statutes is amended to read:

5 169.33 (2) (d) An individual who applies for a bird dog training license or a  
6 hound dog training license shall be at least 12 years of age, or the age specified by  
7 the department by rule under s. 29.592 (5), whichever age is lower."

8 \*b0192/1.1\* 899. Page 1351, line 9: delete lines 9 to 15.

9 \*b0005/P15.8\* 900. Page 1351, line 17: delete "calender" and substitute  
10 "calendar".

\*\*\*\*NOTE: Corrects a misspelled word. -GMM

11 \*b0021/1.5\* 901. Page 1352, line 1: delete lines 1 to 13.

12 \*b0124/1.1\* 902. Page 1355, line 2: after that line insert:

13 \*b0124/1.1\* "SECTION 2928m. 196.202 (2) of the statutes is amended to read:

14 196.202 (2) SCOPE OF REGULATION. A commercial mobile radio service provider  
15 is not subject to ch. 201 or this chapter, except as provided in sub. (5), ~~and except that~~  
16 ~~a commercial mobile radio service provider is subject to s. 196.218 (3) if the~~  
17 ~~commission promulgates rules that designate commercial mobile radio service~~  
18 ~~providers as eligible to receive universal service funding under both the federal and~~  
19 ~~state universal service fund programs. If the commission promulgates such rules,~~  
20 ~~a commercial mobile radio service provider shall respond, subject to the protection~~  
21 ~~of the commercial mobile radio service provider's competitive information, to all~~  
22 ~~reasonable requests for information about its operations in this state from the~~  
23 ~~commission necessary to administer the universal service fund."~~

ARG

1 ✕ **\*b0120/2.1\* 903.** Page 1355, line 8: after that line insert:

2 ✕ **\*b0120/2.1\* "SECTION 2929e.** 196.218 (3) (a) 4. of the statutes is repealed.

3 ✕ **\*b0120/2.1\* SECTION 2929m.** 196.218 (3) (e) of the statutes is amended to read:

4 196.218 (3) (e) ~~Except as provided in par. (f) and s. 196.196 (2) (d), a~~ A  
5 telecommunications provider or other person may not establish a surcharge on  
6 customers' bills to collect from customers contributions required under this  
7 subsection.

8 ✕ **\*b0120/2.1\* SECTION 2929s.** 196.218 (3) (f) of the statutes is amended to read:

9 196.218 (3) (f) Notwithstanding ss. 196.196 (1) and (5) (d) 2., 196.20 (2m), (5)  
10 and (6), 196.213 and 196.215, a telecommunications utility that provides local  
11 exchange service may make adjustments to local exchange service rates for the  
12 purpose of recovering ~~the portion of its contributions to the universal service fund~~  
13 ~~that is determined by the commission under par. (a) 4. required under this~~  
14 subsection. A telecommunications utility that adjusts local exchange service rates  
15 for the purpose of recovering ~~all or any amount of that portion such contributions~~  
16 shall identify on customer bills a single amount that is the total amount of the  
17 adjustment. The public service commission shall provide telecommunications  
18 utilities the information necessary to identify such amounts on customer bills.”.

19 ✕ **\*b0126/2.1\* 904.** Page 1355, line 8: after that line insert:

20 ✕ **\*b0126/2.1\* "SECTION 2929m.** 196.218 (3) (g) of the statutes is created to read:

21 196.218 (3) (g) If the commission or a telecommunications provider makes a  
22 mistake in calculating or reporting any data in connection with the contributions  
23 required under par. (a), and the mistake results in the telecommunications

1 provider's overpayment of such a contribution, the commission shall reimburse the  
2 telecommunications provider for the amount of the overpayment.”.

3 ✕ **\*b0125/1.1\* 905.** Page 1356, line 9: after that line insert:

4 ↘ **\*b0125/1.1\* “SECTION 2933g.** 196.378 (1) (h) 1m. of the statutes is renumbered  
5 196.378 (1) (h) 1. h. and amended to read:

6 196.378 (1) (h) 1. h. ~~A resource with a capacity of less than 60 megawatts that~~  
7 ~~derives electricity from hydroelectric~~ Hydroelectric power.

8 ↘ **\*b0125/1.1\* SECTION 2933r.** 196.378 (4) of the statutes is amended to read:

9 196.378 (4) RULES. The commission may promulgate rules that designate a  
10 resource, except for a conventional resource, as a renewable resource in addition to  
11 the resources specified in sub. (1) (h) 1. ~~and 1m.”.~~

12 ✕ **\*b0059/1.1\* 906.** Page 1356, line 10: delete the material beginning with that  
13 line and ending with page 1357, line 7.

14 ✕ **\*b0295/P1.30\* 907.** Page 1374, line 3: delete lines 3 to 10.

15 ✕ **\*b0191/5.16\* 908.** Page 1377, line 2: after that line insert:

16 ↘ **\*b0191/5.16\* “SECTION 2993m.** 227.01 (12) of the statutes is repealed.”.

17 ✕ **\*b0230/P2.5\* 909.** Page 1377, line 5: after that line insert:

18 ↘ **\*b0230/P2.5\* “SECTION 2994d.** 227.01 (13) (km) of the statutes is created to  
19 read:

20 227.01 (13) (km) Establishes policies for information technology development  
21 projects as required under s. 16.971 (2) (Lg).”.

22 ✕ **\*b0274/2.4\* 910.** Page 1377, line 5: after that line insert:

23 ↘ **\*b0274/2.4\* “SECTION 2994d.** 227.01 (13) (kr) of the statutes is created to read:

1           227.01 (13) (kr) Establishes policies for information technology development  
2 projects as required under s. 36.59 (1) (c).”.

3       X **\*b0289/1.1\* 911.** Page 1377, line 10: delete lines 10 to 13.

4       X **\*b0191/5.17\* 912.** Page 1377, line 13: after that line insert:

5       ↓ **\*b0191/5.17\* “SECTION 2997be.** 227.114 (6) of the statutes is amended to read:

6           227.114 (6) When an agency, under s. 227.20 (1), files with the revisor  
7 legislative reference bureau a rule that is subject to this section, the agency shall  
8 include with the rule a summary of the analysis prepared under s. 227.19 (3) (e) and  
9 a summary of the comments of the legislative standing committees, if any. If the rule  
10 does not require the analysis under s. 227.19 (3) (e), the agency shall include with  
11 the rule a statement of the reason for the agency’s determination under s. 227.19  
12 (3m). The ~~revisor~~ legislative reference bureau shall publish the summaries or the  
13 statement in the register with the rule.

14       ↓ **\*b0191/5.17\* SECTION 2997br.** 227.135 (3) of the statutes is amended to read:

15           227.135 (3) The agency shall send the statement of the scope of a proposed rule  
16 to the ~~revisor~~ legislative reference bureau for publication in the register. On the  
17 same day that the agency sends the statement to the ~~revisor~~ legislative reference  
18 bureau, the agency shall send a copy of the statement to the secretary of  
19 administration.

20       ↓ **\*b0191/5.17\* SECTION 2997de.** 227.14 (1) of the statutes is amended to read:

21           227.14 (1) FORM AND STYLE. In preparing a proposed rule, an agency shall  
22 adhere substantially to the form and style used by the legislative reference bureau  
23 in the preparation of bill drafts and the form and style specified in the manual  
24 prepared by the legislative council staff and the ~~revisor~~ legislative reference bureau

1 under s. 227.15 (7). To the greatest extent possible, an agency shall prepare proposed  
2 rules in plain language which can be easily understood.

3 ↘ **\*b0191/5.17\* SECTION 2997dr.** 227.14 (3) of the statutes is amended to read:

4 227.14 (3) REFERENCE TO APPLICABLE FORMS. If a proposed rule requires a new  
5 or revised form, an agency shall include a reference to the form in a note to the  
6 proposed rule and shall attach to the proposed rule a copy of the form or a description  
7 of how a copy may be obtained. The revisor legislative reference bureau shall insert  
8 the reference in the code as a note to the rule.

9 ↘ **\*b0191/5.17\* SECTION 2997fe.** 227.14 (4m) of the statutes is amended to read:

10 227.14 (4m) NOTICE OF SUBMITTAL TO LEGISLATIVE COUNCIL STAFF. On the same  
11 day that an agency submits a proposed rule to the legislative council staff under s.  
12 227.15, the agency shall prepare a written notice of the agency's submittal to the  
13 legislative council staff. The notice shall include a statement of the date on which  
14 the proposed rule has been submitted to the legislative council staff for review, of the  
15 subject matter of the proposed rule and of whether a public hearing on the proposed  
16 rule is required, and shall identify the organizational unit within the agency that is  
17 primarily responsible for the promulgation of the rule. The notice shall be approved  
18 by the individual or body with policy-making powers over the subject matter of the  
19 proposed rule. The agency shall send the notice to the revisor legislative reference  
20 bureau for publication in the register. On the same day that the agency sends the  
21 notice to the revisor legislative reference bureau, the agency shall send a copy of the  
22 notice to the secretary of administration.

23 ↘ **\*b0191/5.17\* SECTION 2997fr.** 227.14 (6) (c) of the statutes is amended to read:

24 227.14 (6) (c) A proposed rule shall be considered withdrawn on December 31  
25 of the 4th year after the year in which it is submitted to the legislative council staff

1 under s. 227.15 (1), unless it has been filed ~~in the office of the revisor~~ with the  
2 legislative reference bureau under s. 227.20 (1) or withdrawn by the agency before  
3 that date. No action by a legislative committee or by either house of the legislature  
4 under s. 227.19 delays the date of withdrawal of a proposed rule under this  
5 paragraph.

6 **\*b0191/5.17\* SECTION 2997he.** 227.15 (1m) (e) of the statutes is amended to  
7 read:

8 227.15 (1m) (e) The time, date, and place of any public hearing specified in the  
9 notice in s. 227.17 as soon as that notice is submitted to the ~~revisor of statutes~~  
10 legislative reference bureau under s. 227.17 (1) (a).

11 **\*b0191/5.17\* SECTION 2997hr.** 227.15 (2) (intro.) of the statutes is amended  
12 to read:

13 227.15 (2) ROLE OF LEGISLATIVE COUNCIL STAFF. (intro.) The legislative council  
14 staff shall, within 20 working days following receipt of a proposed rule, review the  
15 proposed rule in accordance with this subsection. With the consent of the director  
16 of the legislative council staff, the review period may be extended for an additional  
17 20 working days. The legislative council staff shall act as a clearinghouse for rule  
18 drafting and cooperate with the agency and the ~~revisor~~ legislative reference bureau  
19 to:

20 **\*b0191/5.17\* SECTION 2997je.** 227.15 (7) of the statutes is amended to read:

21 227.15 (7) RULES PROCEDURES MANUAL. The legislative council staff and the  
22 ~~revisor's bureau~~ legislative reference bureau shall prepare a manual to provide  
23 agencies with information on drafting, promulgation and legislative review of rules.

24 **\*b0191/5.17\* SECTION 2997jr.** 227.17 (1) (a) of the statutes is amended to read:

1           227.17 (1) (a) Send written notice of the hearing to the revisor legislative  
2           reference bureau for publication in the register and, if required, publish the notice  
3           in a local newspaper.

4           **\*b0191/5.17\* SECTION 2997Le.** 227.17 (1) (b) of the statutes is amended to  
5           read:

6           227.17 (1) (b) Send written notice of the hearing to each member of the  
7           legislature who has filed a written request for notice with the revisor legislative  
8           reference bureau. Upon request, the revisor legislative reference bureau shall  
9           furnish an agency with the name and address of each legislator who has requested  
10          notice.

11          **\*b0191/5.17\* SECTION 2997Lr.** 227.17 (1) (bm) of the statutes is amended to  
12          read:

13          227.17 (1) (bm) Send written notice of the hearing to the secretary of  
14          administration on the same day that the notice is sent to the revisor legislative  
15          reference bureau under par. (a).

16          **\*b0191/5.17\* SECTION 2997ne.** 227.19 (2) of the statutes is amended to read:

17          227.19 (2) NOTIFICATION OF LEGISLATURE. An agency shall submit a notice to the  
18          chief clerk of each house of the legislature when a proposed rule is in final draft form.  
19          The notice shall be submitted in triplicate and shall be accompanied by a report in  
20          the form specified under sub. (3). A notice received under this subsection on or after  
21          September 1 of an even-numbered year shall be considered received on the first day  
22          of the next regular session of the legislature. The presiding officer of each house of  
23          the legislature shall, within 10 working days following the day on which the notice  
24          and report are received, direct the appropriate chief clerk to refer them to one  
25          standing committee. The agency shall submit to the revisor legislative reference

1 bureau for publication in the register a statement that a proposed rule has been  
2 submitted to the chief clerk of each house of the legislature. Each chief clerk shall  
3 enter a similar statement in the journal of his or her house.

4 ↘ **\*b0191/5.17\* SECTION 2997nr.** 227.20 (1) of the statutes is amended to read:

5 227.20 (1) An agency shall file a certified copy of each rule it promulgates in  
6 ~~the office of the revisor~~ with the legislative reference bureau. No rule is valid until  
7 the certified copy has been filed. A certified copy shall be typed or duplicated on 8  
8 1/2 by 11 inch paper, leaving sufficient room for ~~the revisor's~~ a stamp at the top of the  
9 first page. Forms that are filed need not comply with the specifications of this  
10 subsection.

11 ↘ **\*b0191/5.17\* SECTION 2997pe.** 227.20 (2) of the statutes is amended to read:

12 227.20 (2) The ~~revisor~~ legislative reference bureau shall endorse the date and  
13 the time of filing on each certified copy filed under sub. (1). The ~~revisor~~ bureau shall  
14 keep a file of all certified copies filed under sub. (1).

15 ↘ **\*b0191/5.17\* SECTION 2997pr.** 227.20 (3) (intro.) of the statutes is amended  
16 to read:

17 227.20 (3) (intro.) Filing a certified copy of a rule with the ~~revisor~~ legislative  
18 reference bureau creates a presumption of all of the following:

19 ↘ **\*b0191/5.17\* SECTION 2997re.** 227.21 (1) of the statutes is amended to read:

20 227.21 (1) All rules that agencies are directed by this chapter to file with the  
21 ~~revisor~~ legislative reference bureau shall be published in the code and register as  
22 required under s. 35.93.

23 ↘ **\*b0191/5.17\* SECTION 2997rr.** 227.21 (2) (a) of the statutes is amended to read:

24 227.21 (2) (a) Except as provided in s. 601.41 (3) (b), to avoid unnecessary  
25 expense an agency may, with the consent of the ~~revisor~~ legislative reference bureau



1 and the attorney general, adopt standards established by technical societies and  
2 organizations of recognized national standing by incorporating the standards in its  
3 rules by reference to the specific issue or issues of the publication in which they  
4 appear, without reproducing the standards in full.

5 **\*b0191/5.17\* SECTION 2997te.** 227.21 (2) (b) of the statutes is amended to read:

6 227.21 (2) (b) The attorney general shall consent to incorporation by reference  
7 only in a rule of limited public interest and in a case where the incorporated  
8 standards are readily available in published form or are available on optical disk or  
9 in another electronic format. Each rule containing an incorporation by reference  
10 shall state how the material incorporated may be obtained and, except as provided  
11 in s. 601.41 (3) (b), that the standards are on file at the offices of the agency and the  
12 revisor legislative reference bureau.

13 **\*b0191/5.17\* SECTION 2997tr.** 227.21 (4) of the statutes is amended to read:

14 227.21 (4) Agency materials that are exempt from the requirements of this  
15 chapter under s. 227.01 (13) may be published, either verbatim or in summary form,  
16 if the promulgating agency and the revisor legislative reference bureau determine  
17 that the public interest would be served by publication.

18 **\*b0191/5.17\* SECTION 2997ve.** 227.22 (3) of the statutes is amended to read:

19 227.22 (3) The revisor legislative reference bureau may prescribe in the  
20 manual prepared under s. 227.15 (7) the monthly date prior to which a rule must be  
21 filed in order to be included in that month's issue of the register. The revisor  
22 legislative reference bureau shall compute the effective date of each rule submitted  
23 for publication in the register and shall publish it in a note at the end of each section.  
24 For the purpose of computing the effective date, the revisor legislative reference

1 bureau may presume that an issue of the register will be published during the month  
2 in which it is designated for publication.

3 ↘ **\*b0191/5.17\* SECTION 2997vr.** 227.24 (2) (c) of the statutes is amended to read:

4 227.24 (2) (c) Whenever the committee extends an emergency rule or part of  
5 an emergency rule under par. (a), it shall file a statement of its action with the agency  
6 promulgating the emergency rule and the ~~revisor of statutes~~ legislative reference  
7 bureau. The statement shall identify the specific emergency rule or part of an  
8 emergency rule to which it relates.

9 ↘ **\*b0191/5.17\* SECTION 2997xe.** 227.24 (3) of the statutes is amended to read:

10 227.24 (3) FILING. An agency shall file a rule promulgated under sub. (1) as  
11 provided in s. 227.20, shall mail a copy to the chief clerk of each house and to each  
12 member of the legislature at the time that the rule is filed and shall take any other  
13 step it considers feasible to make the rule known to persons who will be affected by  
14 it. The ~~revisor~~ legislative reference bureau shall insert in the notice section of each  
15 issue of the register a brief description of each rule under sub. (1) that is currently  
16 in effect. Each copy, notice or description of a rule promulgated under sub. (1) (a)  
17 shall be accompanied by a statement of the emergency finding by the agency or by  
18 a statement that the rule is promulgated at the direction of the joint committee for  
19 review of administrative rules under s. 227.26 (2) (b).

20 ↘ **\*b0191/5.17\* SECTION 2997xr.** 227.25 of the statutes is amended to read:

21 **227.25 Revisor Legislative reference bureau.** (1) The ~~revisor~~ legislative  
22 reference bureau shall, in cooperation with the legislative council staff under s.  
23 227.15 (7), prepare a manual informing agencies about the form, style and placement  
24 of rules in the code.

1           (2) The ~~revisor~~ legislative reference bureau shall, upon request, furnish an  
2 agency with advice and assistance on the form and mechanics of rule drafting.

3           (3) An agency may request an advance commitment as to the title or numbering  
4 of a proposed rule by submitting a copy of the proposed rule indicating the requested  
5 title and numbering to the ~~revisor~~ legislative reference bureau prior to filing. As soon  
6 as possible after that, the ~~revisor~~ legislative reference bureau shall either approve  
7 the request or inform the agency of any change necessary to preserve uniformity in  
8 the code.

9           (4) The ~~revisor~~ legislative reference bureau may, prior to publication, edit the  
10 analysis of a proposed rule and any other material submitted for publication in the  
11 code and register, may refer to the fact that those materials are on file or may  
12 eliminate them and any reference to them in the code and register if ~~he or she~~  
13 believes they do not appreciably add to an understanding of the rule. The ~~revisor~~  
14 legislative reference bureau shall submit the edited version of any material to the  
15 agency for its comments prior to publication.

16        **\*b0191/5.17\* SECTION 2997ze.** 227.27 (2) of the statutes is amended to read:

17           227.27 (2) The code shall be prima facie evidence in all courts and proceedings  
18 as provided by s. 889.01, but this does not preclude reference to or, in case of a  
19 discrepancy, control over a rule filed with the ~~revisor~~ legislative reference bureau or  
20 the secretary of state, and the certified copy of a rule shall also and in the same degree  
21 be prima facie evidence in all courts and proceedings.”.

22        **\*b0248/3.161\* 913.** Page 1378, line 14: after that line insert:

23        **\*b0248/3.161\* “SECTION 3002m.** 229.68 (15) of the statutes is amended to  
24 read:

1           229.68 (15) Impose, by the adoption of a resolution, the taxes under subch. V  
2 of ch. 77. A district may not levy any taxes that are not expressly authorized under  
3 subch. V of ch. 77 and that do not receive the affirmative vote of a supermajority of  
4 the district board. If a district adopts a resolution which imposes taxes, it shall  
5 deliver a certified copy of the resolution to the secretary of revenue at least ~~30~~ 120  
6 days before its effective date.

7           **\*b0248/3.161\* SECTION 3002n.** 229.824 (15) of the statutes is amended to read:

8           229.824 (15) Impose, by the adoption of a resolution, the taxes under subch. V  
9 of ch. 77, except that the taxes imposed by the resolution may not take effect until  
10 the resolution is approved by a majority of the electors in the district's jurisdiction  
11 voting on the resolution at a referendum, to be held at the first spring primary or  
12 September primary following by at least 45 days the date of adoption of the  
13 resolution. Two questions shall appear on the ballot. The first question shall be:  
14 "Shall a sales tax and a use tax be imposed at the rate of 0.5% in .... County for  
15 purposes related to football stadium facilities in the .... Professional Football  
16 Stadium District?" The 2nd question shall be: "Shall excess revenues from the 0.5%  
17 sales tax and use tax be permitted to be used for property tax relief purposes in ....  
18 County?" Approval of the first question constitutes approval of the resolution of the  
19 district board. Approval of the 2nd question is not effective unless the first question  
20 is approved. The clerk of the district shall publish the notices required under s. 10.06  
21 (4) (c), (f) and (i) for any referendum held under this subsection. Notwithstanding  
22 s. 10.06 (4) (c), the type A notice under s. 10.01 (2) (a) relating to the referendum is  
23 valid even if given and published late as long as it is given and published prior to the  
24 election as early as practicable. A district may not levy any taxes that are not  
25 expressly authorized under subch. V of ch. 77. The district may not levy any taxes

1 until the professional football team and the governing body of the municipality in  
2 which the football stadium facilities are located agree on how to fund the  
3 maintenance of the football stadium facilities. The district may not levy any taxes  
4 until the professional football team and the governing body of the municipality in  
5 which the football stadium facilities are located agree on how to distribute the  
6 proceeds, if any, from the sale of naming rights related to the football stadium  
7 facilities. If a district board adopts a resolution that imposes taxes and the resolution  
8 is approved by the electors, the district shall deliver a certified copy of the resolution  
9 to the secretary of revenue at least ~~30~~ 120 days before its effective date. If a district  
10 board adopts a resolution that imposes taxes and the resolution is not approved by  
11 the electors, the district is dissolved.”.

12 ~~X~~ \*b0041/1.31\* **914**. Page 1378, line 15: delete lines 15 to 17.

13 ~~X~~ \*b0317/1.22\* **915**. Page 1378, line 18: delete the material beginning with  
14 that line and ending with page 1379, line 3.

15 ~~X~~ \*b0278/2.20\* **916**. Page 1379, line 3: after that line insert:

16 \*b0278/2.20\* “SECTION 3004b. 230.03 (3) of the statutes is amended to read:  
17 230.03 (3) “Agency” means any board, commission, committee, council, or  
18 department in state government or a unit thereof created by the constitution or  
19 statutes if such board, commission, committee, council, department, unit, or the  
20 head thereof, is authorized to appoint subordinate staff by the constitution or  
21 statute, except a legislative or judicial board, commission, committee, council,  
22 department, or unit thereof or an authority created under subch. II of ch. 114 or  
23 subch. III of ch. 149 or under ch. 231, 232, 233, 234, 235, ~~or 237, or 279~~. “Agency” does  
24 not mean any local unit of government or body within one or more local units of

1 government that is created by law or by action of one or more local units of  
2 government.”.

3 ✕ **\*b0041/1.32\* 917.** Page 1379, line 4: delete lines 4 to 6.

4 ✕ **\*b0098/2.9\* 918.** Page 1379, line 8: delete “15” and substitute “14”.

5 ✕ **\*b0098/2.10\* 919.** Page 1379, line 13: delete lines 13 to 25.

6 ✕ **\*b0098/2.11\* 920.** Page 1380, line 1: delete lines 1 and 2.

7 ✕ **\*b0038/1.8\* 921.** Page 1380, line 8: delete lines 8 to 10.

8 ✕ **\*b0202/3.3\* 922.** Page 1380, line 14: after that line insert:

9 ✓ **\*b0202/3.3\* “SECTION 3013m.** 230.08 (2) (wh) of the statutes is created to read:

10 230.08 (2) (wh) The judicial council attorney appointed under s. 758.13 (3) (g)

11 2.”.

12 ✕ **\*b0041/1.33\* 923.** Page 1380, line 19: delete lines 19 to 25.

13 ✕ **\*b0041/1.34\* 924.** Page 1381, line 1: delete lines 1 to 18.

14 ✕ **\*b0041/1.35\* 925.** Page 1382, line 23: delete lines 23 to 25.

15 ✕ **\*b0041/1.36\* 926.** Page 1383, line 1: delete lines 1 to 17.

16 ✕ **\*b0268/1.5\* 927.** Page 1383, line 18: delete the material beginning with that

17 line and ending with page 1384, line 7.

18 ✕ **\*b0251/3.9\* 928.** Page 1384, line 7: after that line insert:

19 ✓ **\*b0251/3.9\* “SECTION 3023a.** 233.02 (1) (a) of the statutes is amended to read:

20 233.02 (1) (a) Three members nominated by the governor, and with the advice

21 and consent of the senate appointed, for ~~3-year~~ 5-year terms.

22 ✓ **\*b0251/3.9\* SECTION 3023b.** 233.02 (1) (ag) of the statutes is created to read:

1           233.02 (1) (ag) Three members nominated by the board of directors and  
2           appointed by the governor, with the advice and consent of the senate, for 5-year  
3           terms.

4           **\*b0251/3.9\* SECTION 3023c.** 233.02 (1) (am) of the statutes is amended to read:

5           233.02 (1) (am) Each cochairperson of the joint committee on finance or a  
6           member of the ~~committee~~ legislature designated by that cochairperson.

7           **\*b0251/3.9\* SECTION 3023d.** 233.02 (8) of the statutes is amended to read:

8           233.02 (8) The members of the board of directors shall annually elect a  
9           chairperson and may elect other officers as they consider appropriate. ~~Six~~ Eight  
10          voting members of the board of directors constitute a quorum for the purpose of  
11          conducting the business and exercising the powers of the authority, notwithstanding  
12          the existence of any vacancy. The members of the board of directors specified under  
13          sub. (1) (c) and (g) may not be the chairperson of the board of directors for purposes  
14          of 1995 Wisconsin Act 27, section 9159 (2). The board of directors may take action  
15          upon a vote of a majority of the members present, unless the bylaws of the authority  
16          require a larger number.

17          **\*b0251/3.9\* SECTION 3023e.** 233.03 (2) of the statutes is amended to read:

18          233.03 (2) Sue and be sued; have a seal and alter the seal at pleasure; have  
19          perpetual existence; maintain an office; negotiate and enter into leases; accept gifts  
20          or grants, ~~but not including research grants in which the grant investigator is an~~  
21          ~~employee of the board of regents~~; accept bequests or loans; accept and comply with  
22          any lawful conditions attached to federal financial assistance; and make and execute  
23          other instruments necessary or convenient to the exercise of the powers of the  
24          authority.

25          **\*b0251/3.9\* SECTION 3023f.** 233.03 (11) of the statutes is amended to read:

233.03 (11) Issue bonds in accordance with ss. 233.20 to ~~233.27~~ 233.26.

**\*b0251/3.9\* SECTION 3023g.** 233.04 (1) of the statutes is amended to read:

233.04 (1) By October 1, 1997, and annually thereafter, submit to the chief clerk of each house of the legislature under s. 13.172 (2), the president of the board of regents, the secretary of administration and the governor a report on the patient care, education, research and community service activities and accomplishments of the authority and an audited financial statement, certified by an independent auditor, of the authority's operations. ~~The financial statement shall include a separate accounting of the use of the payment under sub. (7) (f).~~

**\*b0251/3.9\* SECTION 3023h.** 233.04 (3b) (a) 1. of the statutes is amended to read:

233.04 (3b) (a) 1. Delivering ~~comprehensive, high-quality~~ health care to patients using the hospitals and to those seeking care from its programs, including a commitment to provide such care for the medically indigent.

**\*b0251/3.9\* SECTION 3023i.** 233.04 (7) (f) of the statutes is repealed.

**\*b0251/3.9\* SECTION 3023j.** 233.04 (8) of the statutes is repealed.

**\*b0251/3.9\* SECTION 3023k.** 233.04 (10) of the statutes is repealed.

**\*b0251/3.9\* SECTION 3023L.** 233.05 (3) of the statutes is repealed.

**\*b0251/3.9\* SECTION 3023m.** 233.10 (2) (intro.) of the statutes is amended to read:

233.10 (2) (intro.) Subject to ~~subs. (3), (3m), (3r) and (3t)~~ and ch. 40 and the duty to engage in collective bargaining with employees in a collective bargaining unit for which a representative is recognized or certified under subch. I of ch. 111, the authority may establish any of the following:

**\*b0251/3.9\* SECTION 3023n.** 233.10 (3) of the statutes is repealed.



1       ✓ **\*b0251/3.9\* SECTION 3023o.** 233.10 (3m) of the statutes is repealed.

2       ✓ **\*b0251/3.9\* SECTION 3023p.** 233.10 (3r) of the statutes is repealed.

3       ✓ **\*b0251/3.9\* SECTION 3023q.** 233.10 (3t) of the statutes is repealed.

4       ✓ **\*b0251/3.9\* SECTION 3023r.** 233.10 (4) of the statutes is repealed.

5       ✓ **\*b0251/3.9\* SECTION 3023s.** 233.20 (3m) of the statutes is created to read:

6           233.20 (3m) The authority may not issue bonds or incur indebtedness  
7 described under s. 233.03 (12) unless one of the following applies:

8           (a) The bonds or indebtedness are a refinancing of existing bonds or  
9 indebtedness.

10           (b) If the authority has a bond rating from Moody's Investor Service, Inc., of  
11 better than A, or from Standard & Poor's Corporation of better than A, or equivalent  
12 ratings from those or comparable rating agencies when such rating systems or rating  
13 agencies no longer exist, the authority has provided notice to the joint committee on  
14 finance of the bond rating of the authority, the amount of the proposed bonds or  
15 indebtedness, and the proposed use of the proceeds, and the joint committee on  
16 finance has not notified the authority within 30 working days after receipt of the  
17 notice that the joint committee on finance has scheduled a meeting to review the  
18 proposed bonds or indebtedness.

19           (c) The joint committee on finance votes to approve the amount of the bonds or  
20 indebtedness.

21       ✓ **\*b0251/3.9\* SECTION 3023t.** 233.27 of the statutes is repealed.

22       ✓ **\*b0251/3.9\* SECTION 3023u.** 233.42 of the statutes is repealed.”.

23       ✗ **\*b0280/1.2\* 929.** Page 1384, line 23: delete lines 23 and 24 and substitute:

24       ✓ **\*b0280/1.2\* “SECTION 3027g.** 234.165 (3) (a) of the statutes is created to read:

1 234.165 (3) (a) For the purpose of housing grants and loans under s. 560.9803  
2 and”.

3 ~~X~~ \*b0280/1.3\* **930.** Page 1385, line 4: delete lines 4 and 5 and substitute:

4 ~~✓~~ \*b0280/1.3\* “SECTION 3028d. 234.165 (3) (a) of the statutes, as affected by  
5 2007 Wisconsin Act .... (this act), is repealed.

6 ~~✓~~ \*b0280/1.3\* SECTION 3028e. 234.165 (3) (b) of the statutes is created to read:

7 234.165 (3) (b) For the purpose of transitional housing grants under s. 560.9806  
8 and for grants to agencies and shelter facilities for homeless individuals and  
9 families as provided under s. 560.9808, in fiscal year 2007–08 the authority shall  
10 transfer to the department of commerce \$1,000,000 of its actual surplus under this  
11 section, and in fiscal year 2008–09 the authority shall transfer to the department of  
12 commerce \$1,000,000 of its actual surplus under this section.

13 ~~✓~~ \*b0280/1.3\* SECTION 3028f. 234.165 (3) (b) of the statutes, as affected by 2007  
14 Wisconsin Act .... (this act), is repealed.”.

15 ~~X~~ \*b0317/1.23\* **931.** Page 1385, line 15: delete the material beginning with  
16 that line and ending with page 1390, line 19.

17 ~~✓~~ \*b0174/1.2\* **932.** Page 1391, line 24: delete that line.

18 ~~✓~~ \*b0174/1.3\* **933.** Page 1392, line 1: delete lines 1 to 12.

19 ~~X~~ \*b0043/1.13\* **934.** Page 1392, line 13: delete that line.

20 ~~X~~ \*b0216/1.3\* **935.** Page 1392, line 13: after that line insert:

21 ~~✓~~ \*b0216/1.3\* “SECTION 3035r. 252.12 (2) (a) 8. of the statutes is renumbered  
22 252.12 (2) (a) 8. (intro.) and amended to read:

23 252.12 (2) (a) 8. ‘Mike Johnson life care and early intervention services grants.’  
24 (intro.) The department shall award not more than ~~\$2,569,900~~ \$2,969,900 in fiscal

1 year ~~2005-06~~ 2007-08 and not more than \$3,569,900 in fiscal year 2008-09 and each  
2 fiscal year thereafter in grants to applying organizations for the provision of needs  
3 assessments; assistance in procuring financial, medical, legal, social and pastoral  
4 services; counseling and therapy; homecare services and supplies; advocacy; and  
5 case management services. These services shall include early intervention services.  
6 The department shall also award not more than \$74,000 in each year from the  
7 appropriation under s. 20.435 (7) (md) for the services under this subdivision. The  
8 state share of payment for case management services that are provided under s.  
9 49.45 (25) (be) to recipients of medical assistance shall be paid from the  
10 appropriation under s. 20.435 (5) (am). All of the following apply to grants awarded  
11 under this subdivision:

12 **\*b0216/1.3\* SECTION 3035s.** 252.12 (2) (a) 8. a. to c. of the statutes are created  
13 to read:

14 252.12 (2) (a) 8. a. None of the funds awarded may be used to fund AIDS  
15 programs, or to develop materials, designed to promote or encourage, directly,  
16 intravenous drug use or sexual activity, whether homosexual or heterosexual.

17 b. None of the funds awarded may be used for political purposes.

18 c. Funds awarded shall be used to provide medical care and support services  
19 for individuals with HIV.”.

20 **\*b0251/3.10\* 936.** Page 1392, line 18: after that line insert:

21 **\*b0251/3.10\* “SECTION 3036m.** 252.14 (1) (d) of the statutes is amended to  
22 read:

23 252.14 (1) (d) “Inpatient health care facility” means a hospital, nursing home,  
24 community-based residential facility, county home, county mental health complex

1 or other place licensed or approved by the department under s. 49.70, 49.71, 49.72,  
2 50.02, 50.03, 50.35, 51.08 or 51.09 or a facility under s. 45.50, 48.62, 51.05, 51.06,  
3 233.40, 233.41, ~~233.42~~ or 252.10.”.

4 ~~X~~ \*b0232/1.1\* **937**. Page 1393, line 19: after that line insert:

5 ~~✓~~ \*b0232/1.1\* “SECTION 3039r. 253.02 (4) of the statutes is created to read:

6 253.02 (4) The department shall collaborate with community-based  
7 organizations that serve children, adolescents, and their families to promote health  
8 and wellness, and to reduce childhood and adolescent obesity.”.

9 ~~X~~ \*b0043/1.14\* **938**. Page 1396, line 20: delete lines 20 and 21.

10 ~~X~~ \*b0236/1.7\* **939**. Page 1397, line 21: delete lines 21 to 25.

11 ~~X~~ \*b0236/1.8\* **940**. Page 1398, line 1: delete lines 1 to 21.

12 ~~X~~ \*b0236/1.9\* **941**. Page 1399, line 4: delete lines 4 to 12.

13 ~~X~~ \*b0236/1.10\* **942**. Page 1399, line 20: delete lines 20 to 25.


14 ~~X~~ \*b0236/1.11\* **943**. Page 1400, line 1: delete lines 1 to 3.

15 ~~X~~ \*b0281/2.3\* **944**. Page 1401, line 2: after that line insert:


16 ~~✓~~ \*b0281/2.3\* “SECTION 3066m. 255.06 (2) (intro.) of the statutes is amended to  
17 read:


18 255.06 (2) WELL-WOMAN PROGRAM. (intro.) From the appropriation under s.  
19 20.435 (5) (cb), the department shall administer a well-woman program to provide  
20 reimbursement for health care screenings, referrals, follow-ups, case management,  
21 and patient education provided to low-income, underinsured, and uninsured  
22 women. Reimbursement to service providers under this ~~section~~ subsection shall be  
23 at the rate of reimbursement for identical services provided under medicare, except


1 that, if projected costs under this ~~section~~ subsection exceed the amounts  
2 appropriated under s. 20.435 (5) (cb), the department shall modify services or  
3 reimbursement accordingly. Within this limitation, the department shall implement  
4 the well-woman program to do all of the following:

5  **\*b0281/2.3\* SECTION 3066r.** 255.06 (2m) of the statutes is created to read:

6 255.06 (2m) CERVICAL AND BREAST CANCER SCREENING. From the appropriation  
7 under s. 20.435 (4) (xf), the department shall provide \$62,000 annually for cervical  
8 cancer screenings for women who are underinsured or uninsured and whose income  
9 does not exceed 250 percent of the poverty line and for breast cancer screenings  
10 described under sub. (2) (a).”.

11  **\*b0043/1.15\* 945.** Page 1401, line 10: delete lines 10 to 17.

12  **\*b0278/2.21\* 946.** Page 1401, line 17: after that line insert:

13  **\*b0278/2.21\* “SECTION 3070p.** Chapter 279 of the statutes is created to read:

## 14 **CHAPTER 279**

### 15 **LOWER FOX RIVER**

#### 16 **REMEDIATION AUTHORITY**

17 **279.01 Definitions.** In this chapter:

18 (1) “Affected property” means real property in this state that is owned by a  
19 person who, with respect to the property, is responsible for waterway improvement  
20 costs due to discharges from the property into the Fox River extending from Lake  
21 Winnebago to the mouth of the river in Lake Michigan and any portion of Green Bay  
22 in Lake Michigan containing sediments affected by discharges into the Fox River.

23 (2) “Authority” means the Lower Fox River Remediation Authority.

24 (3) “Board” means the board of directors of the authority.

1           (4) "Bond" means, except in s. 279.19 (1) (a), a bond, note, or other obligation  
2 of the authority issued under this chapter, including a refunding bond.

3           (5) "Bond resolution" means a resolution of the board authorizing the issuance  
4 of, or providing terms and conditions related to, bonds and includes, when  
5 appropriate, any trust agreement or trust indenture providing terms and conditions  
6 for the bonds.

7           (6) "Consenting landowner" means a person who owns affected property, or a  
8 parent or subsidiary of such a person, who requests the authority to issue bonds for  
9 waterway improvement costs, and who consents to the levy of an assessment on the  
10 affected property.

11           (7) "Waterway improvement" means any of the following actions, taken under  
12 an administrative or judicial order or decree or an administratively or judicially  
13 approved agreement, related to discharges into the Fox River:

14           (a) Determining whether a discharge occurred, whether the discharge poses a  
15 significant threat to human health and the environment, or whether additional  
16 remedial actions may be required with respect to a discharge.

17           (b) Conducting a feasibility study.

18           (c) Planning for remedial action or removal.

19           (d) Conducting remedial action or removal.

20           (8) "Waterway improvement costs" means the costs of waterway improvements  
21 and any of the following:

22           (a) The reasonable costs of financing provided by the authority and associated  
23 administrative costs incurred by the authority.

24           (b) The fees and charges imposed by the authority or by others in connection  
25 with the financing.

1 (c) A reserve for payment of the principal and interest on bonds issued by the  
2 authority.

3 **279.02 Creation and organization.** (1) There is created a public body politic  
4 and corporate to be known as the "Lower Fox River Remediation Authority." The  
5 board shall consist of 7 members nominated by the governor, and with the advice and  
6 consent of the senate appointed, for 7-year terms. Members of the board shall be  
7 residents of the state, and not more than 4 of the members may be members of the  
8 same political party. The terms of the members expire on June 30. Each member's  
9 appointment remains in effect until a successor is appointed. Annually, the governor  
10 shall appoint one member as chairperson and the board shall elect one member as  
11 vice chairperson.

12 (2) The board shall appoint an executive director and may appoint an associate  
13 executive director who may not be members of the board and who shall serve at the  
14 pleasure of the board. The board shall determine the compensation of the executive  
15 director and any associate executive director, except that the compensation of the  
16 executive director may not exceed the maximum of the salary range established  
17 under s. 20.923 (1) for positions assigned to executive salary group 4 and the  
18 compensation of each other employee of the authority may not exceed the maximum  
19 of the salary range established under s. 20.923 (1) for positions assigned to executive  
20 salary group 3. The executive director, associate executive director, or other person  
21 designated by resolution of the board shall keep a record of the proceedings of the  
22 authority and shall be custodian of all books, documents, and papers filed with the  
23 authority, the minute book or journal of the authority, and its official seal. The  
24 executive director, associate executive director, or other person may cause copies to  
25 be made of all minutes and other records and documents of the authority and may

1 give certificates under the official seal of the authority to the effect that the copies  
2 are true copies, and all persons dealing with the authority may rely upon the  
3 certificates.

4 (3) Four members of the board constitute a quorum. The affirmative vote of  
5 a majority of all of the members of the board is necessary for any action taken by the  
6 authority. A vacancy in the membership of the board does not impair the right of a  
7 quorum to exercise all of the rights and perform all of the duties of the authority.  
8 Each meeting of the board shall be open to the public. Notice of meetings, or waivers  
9 thereof, shall be as provided in the bylaws of the authority. Resolutions of the  
10 authority need not be published or posted. The board may delegate by resolution to  
11 one or more of its members or the executive director the powers and duties that it  
12 considers proper.

13 (4) The members of the board shall receive no compensation for the  
14 performance of their duties as members, but each member shall be reimbursed for  
15 the member's actual and necessary expenses while engaged in the performance of the  
16 member's duties.

17 (5) (a) It is not a conflict of interest or violation of this chapter for a trustee,  
18 director, officer, or employee of a consenting landowner to serve as a member of the  
19 board if the trustee, director, officer, or employee of the consenting landowner  
20 abstains from discussion, deliberation, action, and vote by the board in specific  
21 respect to any undertaking under this chapter in which the consenting landowner  
22 has an interest.

23 (b) It is not a conflict of interest or violation of this chapter for a person having  
24 the required favorable reputation for skill, knowledge, and experience in state and  
25 municipal finance to serve as a member of the board if the person having the required



1 favorable reputation for skill, knowledge, and experience in state and municipal  
2 finance abstains from discussion, deliberation, action, and vote by the board in  
3 specific respect to any sale, purchase, or ownership of bonds of the authority in which  
4 any business of which the person is a participant, owner, officer, or employee has a  
5 past, current, or future interest.

6 (c) It is not a conflict of interest or violation of this chapter for a person having  
7 the required favorable reputation for skill, knowledge, and experience in the field of  
8 environmental remediation to serve as a member of the board if the person having  
9 the required favorable reputation for skill, knowledge, and experience in the field of  
10 environmental remediation abstains from discussion, deliberation, action, and vote  
11 by the board in specific respect to a waterway improvement in which any business  
12 of which the person is a participant, owner, officer, or employee has a past, current,  
13 or future interest.

14 (6) Chapter 230 does not apply to the employees of the authority, except that  
15 s. 230.40 does apply to the employees of the authority.

16 **279.03 Powers of authority.** The authority has all of the powers necessary  
17 or convenient to carry out the purposes and provisions of this chapter. In addition,  
18 the authority may do any of the following:

19 (1) Adopt bylaws, policies, and procedures for the regulation of its affairs and  
20 the conduct of its business.

21 (2) Adopt an official seal and alter the seal at pleasure.

22 (3) Maintain an office.

23 (4) Sue and be sued in its own name, plead and be impleaded.

24 (5) Enter into any contracts that are necessary or useful for the conduct of its  
25 business.

1           (6) Employ or contract with attorneys, accountants, and financial experts and  
2           any other necessary employees or agents, and fix the compensation of employees,  
3           subject to 279.02 (2).

4           (7) Appoint any technical or professional advisory committee that the  
5           authority finds necessary, define the duties of any committee, and provide  
6           reimbursement for the expenses of any committee.

7           (8) Accept contributions or grants in money, property, labor, or other things of  
8           value and comply with any restrictions on the use of the contributions or grants.

9           (9) Obtain or aid in obtaining, from any department or agency of the United  
10          States or of this state or from any private company, any insurance or guaranty  
11          concerning the payment or repayment of all or part of the interest or principal, or  
12          both, on any bond issued under this chapter; and enter into any agreement, contract,  
13          or other instrument with respect to that insurance or guaranty, accept payment in  
14          the manner and form provided in such an agreement in case of default in payment  
15          of the bonds, and assign the insurance or guaranty as security for the authority's  
16          bonds.

17          **279.04 Expenses.** (1) All expenses of the authority are payable solely from  
18          funds obtained under the authority of this chapter, and no liability may be incurred  
19          by the authority beyond the extent to which moneys are obtained under this chapter.  
20          For the purposes of meeting the necessary expenses of initial organization and  
21          operation of the authority until the authority derives moneys from funds provided  
22          to it under the authority of this chapter, other than this section, the authority may  
23          use the funds appropriated under s. 20.375 (1) (a).

24          (2) The authority shall apportion among and assess to consenting landowners,  
25          in an equitable manner, an amount equal to the amount expended from the

1 appropriation under s. 20.375 (1) (a) and pay that amount to the department of  
2 administration for deposit in the general fund.

3 **279.05 Application for bond issuance. (1)** One or more owners of affected  
4 property may submit an application requesting the authority to issue bonds to  
5 finance all or a portion of the waterway improvement costs associated with the  
6 affected property. An application under this subsection shall include all of the  
7 following:

8 (a) A copy of an administrative or judicial order or decree or an administratively  
9 or judicially approved agreement that imposes financial responsibility for a  
10 waterway improvement on the applicant or applicants.

11 (b) An acknowledgement by the applicant or applicants that the waterway  
12 improvement will confer a benefit on the affected property.

13 (c) The consent of the applicant or applicants to the levy of an assessment by  
14 the authority on the affected property at the times and in the amounts that the  
15 authority determines.

16 (d) A waiver by the applicant or applicants of any requirement for notice and  
17 hearing and of any right to oppose the levy of the assessment.

18 (2) A consenting land owner who submits an application under sub. (1) may  
19 recommend to the authority an underwriter for the bonds that the owner of affected  
20 property requests the authority to issue.

21 **279.06 Approval of application and issuance of bonds. (1)** The board  
22 may approve an application under s. 279.05 (1) if the application complies with s.  
23 279.05 (1) and if the authority makes a determination that the waterway  
24 improvement will last for many years and will result in long-term benefits to this  
25 state. The authority may issue bonds as provided in this section and s. 279.07 to

1 finance all or a portion of the waterway improvement to which an approved  
2 application relates.

3 (2) The authority shall notify the department of natural resources of its action  
4 on an application under s. 279.05 (1) at the same time that it notifies the applicant  
5 or applicants.

6 (3) All of the authority's bonds are negotiable for all purposes, notwithstanding  
7 their payment from a limited source.

8 (4) The authority shall use the building commission as its financial consultant  
9 to assist in and coordinate the issuance of bonds under this chapter.

10 (5) The bonds of each issue shall be payable solely out of a special fund into  
11 which the authority deposits the assessments imposed by the authority against the  
12 affected property with respect to which the bonds are issued.

13 (6) The authority may not issue bonds unless the issuance is authorized by a  
14 bond resolution. The bonds shall bear the dates; mature at the times not exceeding  
15 30 years from their dates of issue; bear interest at the rates, fixed or variable; be  
16 payable at the times; be in the denominations; be in fully registered form; carry the  
17 registration and conversion privileges; be executed in the manner; be payable in  
18 money of the United States at the places; and be subject to the terms of redemption  
19 that the bond resolution provides. The bonds shall be executed by the manual or  
20 facsimile signatures of the officers of the authority designated by the board. The  
21 bonds may be sold at public or private sale at the price, in the manner, and at the time  
22 determined by the board. The bonds may be issued as serial bonds payable in annual  
23 installments, as term bonds, or as a combination of both types.

24 (7) Any bond resolution may contain provisions, that shall be a part of the  
25 contract with the holders of the bonds, regarding any of the following:

1           (a) Setting aside reserves or sinking funds, and the regulation, investment, and  
2 disposition of the reserves or sinking funds.

3           (b) Limitations on the purpose to which, or the investments in which, the  
4 proceeds of the sale of any issue of bonds may be applied.

5           (c) Refunding of outstanding bonds.

6           (d) Procedures by which the terms of any contract with bondholders may be  
7 amended or abrogated, the amount of bonds the holders of which must consent to the  
8 amendment or abrogation, and the manner in which this consent may be given.

9           (e) Defining the acts or omissions to act that constitute a default in the duties  
10 of the authority to the bondholders, and providing the rights and remedies of the  
11 bondholders in the event of a default.

12           (f) Any other matter relating to the bonds that the board considers desirable.

13           (8) Neither the members of the board nor any person executing the bonds of  
14 the authority is liable personally on the bonds or subject to any personal liability or  
15 accountability by reason of the issuance of the bonds.

16           (9) (a) The authority shall pay the net proceeds of bonds issued under this  
17 section to the entity to which moneys for waterway improvements are required to be  
18 paid by the administrative or judicial order or decree or administratively or judicially  
19 approved agreement described in s. 279.05 (1) (a).

20           (b) An entity that receives moneys under par. (a) may use those moneys only  
21 for the waterway improvement costs for which the bonds are issued. If the actual  
22 waterway improvement costs to be paid from the authority's bonds are less than the  
23 assessments levied by the authority, the entity shall return the excess to the  
24 authority.

1       **279.07 Assessments.** (1) Before it issues bonds, the authority shall follow the  
2 procedures in this section for levying an assessment on the affected property of any  
3 consenting landowner whose application for issuance of the bonds is approved under  
4 s. 279.06 (1). The consenting landowner shall pay the assessment to the authority.  
5 An assessment under this section is a lien against the affected property. The  
6 authority shall provide notice of the lien of assessment to the register of deeds of the  
7 county in which the affected property is located for recording.

8       (2) The assessment levied with respect to a bond issue shall be sufficient to do  
9 all of the following:

10       (a) Pay the share of the administrative costs of the authority that is allocated  
11 to the bond issue.

12       (b) Pay the costs of any financial and legal services incurred by the authority  
13 and any other item of direct or indirect cost that may reasonably be attributed to  
14 processing the application under s. 279.05 (1), issuing the bonds, and imposing the  
15 assessment on the affected property.

16       (c) Pay the principal of and the premium, if any, and interest on the bonds as  
17 they become due and payable.

18       (d) Create and maintain any reserve that is required or provided for in the bond  
19 resolution.

20       (3) If the authority assesses more than one consenting landowner in connection  
21 with a bond issue, it shall determine the amount to be assessed on the affected  
22 property of each consenting landowner in a manner that is consistent with the  
23 administrative or judicial order or decree or administratively or judicially approved  
24 agreement described in s. 279.05 (1) (a) and that considers such factors as present  
25 and past capacity for discharges; estimates of actual discharges; the degree of

1 toxicity and water quality characteristics of past and present discharges;  
2 involvement in the generation, treatment, transportation, storage, or disposal of  
3 discharged substances; the degree of care exercised in reducing discharges; and the  
4 amount of impervious surface on each affected property.

5 (4) Before finalizing its determination of the amount of the assessment to be  
6 levied on affected property under this section, the board shall pass a preliminary  
7 resolution declaring its intent with respect to the assessment. In the resolution, the  
8 board shall include all of the following:

9 (a) A general description of the contemplated purpose of the assessment.

10 (b) A description of the affected property proposed to be assessed.

11 (c) The number of installments in which the assessments may be paid or a  
12 statement that the number of payments will be determined at the hearing required  
13 under sub. (8).

14 (d) A direction to an officer or employee of the authority to make a report on the  
15 proposed assessment.

16 (5) The officer or employee directed to make a report under sub. (4) (d) shall  
17 include all of the following in the report:

18 (a) A reference to the administrative or judicial order or decree or  
19 administratively or judicially approved agreement described in s. 279.05 (1) (a).

20 (b) A schedule of the proposed assessments.

21 (c) An estimate, as to each affected property, of the assessment to be levied.

22 (6) The officer or employee making the report under sub. (5) shall file a copy  
23 of the report with the authority for public inspection.

24 (7) After the report has been filed under sub. (6), the authority shall publish  
25 a class 1 notice, under ch. 985, that describes all of the following:

1 (a) The affected property that is proposed to be assessed.

2 (b) The place and time at which the report may be inspected.

3 (c) The place and time at which all interested persons or their agents or  
4 attorneys may appear before the authority and be heard concerning the matters  
5 contained in the preliminary resolution and the report.

6 (8) The authority shall conduct a hearing concerning the levying of a proposed  
7 assessment not less than 10 days and not more than 40 days after publishing the  
8 notice under sub. (7).

9 (9) After the hearing under sub. (8), the board may approve, disapprove, or  
10 modify the report under sub. (6) or it may refer the report to the designated officer  
11 or employee of the authority with directions to change the proposal to accomplish a  
12 fair and equitable assessment.

13 (10) After approving a report under sub. (9), the authority shall adopt a  
14 resolution specifying the amount of the assessments, authorizing the issuance of  
15 bonds, and directing that the net proceeds of the bonds be paid as provided in s.  
16 279.06 (9) (a). The authority shall publish the resolution as a class 1 notice, under  
17 ch. 985. After publication of the resolution, the authority shall levy the assessments  
18 and issue the bonds.

19 (11) If the actual waterway improvement costs to be paid from a bond issue vary  
20 materially from the estimates, if any assessment is invalid, or if the board decides  
21 to reopen and reconsider any assessment, it may, after publishing a class 1 notice,  
22 under ch. 985, that describes its proposed action and after a public hearing, adopt a  
23 resolution amending, canceling, or confirming the prior assessment. If an  
24 assessment is amended to provide for the refunding of bonds, all of the direct and  
25 indirect costs reasonably attributable to the refunding of the bonds may be included



1 in the amended assessment. If moneys are returned to the authority under s. 279.06  
2 (9) (b), the authority may pay a portion of the outstanding bonds and reduce each  
3 assessment proportionately. The authority shall publish a class 1 notice, under ch.  
4 985, describing the resolution amending, canceling, or confirming the prior  
5 assessment.

6 (12) After the 90th day after the day on which a bond is issued under this  
7 chapter, the bond is conclusive evidence of the legality of all proceedings up to and  
8 including the issuance of the bond and is prima facie evidence of the proper  
9 application of the proceeds of the bond.

10 **279.08 Bond security.** (1) The authority may enter into a trust agreement  
11 or trust indenture between the authority and one or more corporate trustees for any  
12 bonds issued under this chapter. Any trust company or bank having the powers of  
13 a trust company may be a trustee.

14 (2) The bond resolution providing for the issuance of bonds shall pledge the  
15 assessments to be received by the authority with respect to the bonds referred to in  
16 the bond resolution. The pledge is valid and binding from the time that the resolution  
17 is adopted. The revenues pledged are immediately subject to the lien of the pledge  
18 without any physical delivery or any further act. The lien is valid and binding as  
19 against all persons having claims in tort, contract, or otherwise against the  
20 authority, irrespective of whether the persons have notice of the lien. Neither the  
21 bond resolution nor any financing statement, continuation statement, or other  
22 instrument by which a pledge is created or by which the authority's interest in  
23 revenues is assigned need be filed or recorded in any public records in order to perfect  
24 the lien of the pledge as against 3rd parties, except that the authority shall file a copy

1 of the instrument in the records of the authority and with the department of financial  
2 institutions.

3 (3) A bond resolution may contain provisions for protecting and enforcing the  
4 rights and remedies of the bondholders that are reasonable and proper and not in  
5 violation of law. A bond resolution may restrict the individual right of action by  
6 bondholders. A bond resolution may contain any other provisions that are  
7 determined by the board to be reasonable and proper for the security of the  
8 bondholders.

9 **279.09 Refunding bonds.** (1) The authority may issue bonds to refund any  
10 outstanding bond, including the payment of any redemption premium on the  
11 outstanding bond and any interest accrued or to accrue to the earliest or any  
12 subsequent date of redemption, purchase, or maturity.

13 (2) The authority may apply the proceeds of any bond issued to refund any  
14 outstanding bond to the purchase, retirement at maturity, or redemption of the  
15 outstanding bond on the earliest or any subsequent redemption date, upon purchase,  
16 or at the maturity of the bond. The authority may, pending application of the  
17 proceeds, place the proceeds in escrow to be applied to the purchase, retirement at  
18 maturity, or redemption of any outstanding bond at any time.

19 (3) If the authority determines that it is necessary to amend the prior  
20 assessments in connection with the issuance of refunding bonds under this section,  
21 it may reconsider and reopen the assessments as provided in s. 279.07 (11). If the  
22 assessments are amended, the refunding bonds shall be secured by, and be payable  
23 from, the assessments as amended. If the assessments are amended, all direct and  
24 indirect costs reasonably attributable to the refunding of the bonds may be included  
25 in the cost of the waterway improvements being financed.

1           (4) All refunding bonds are subject to this chapter in the same manner and to  
2           the same extent as other bonds issued under this chapter.

3           **279.10 Bonds not public debt.** (1) The state is not liable on bonds of the  
4           authority and the bonds are not debt of the state. Each bond of the authority shall  
5           contain a statement to this effect on the face of the bond. The issuance of bonds under  
6           this chapter does not, directly, indirectly, or contingently, obligate the state or any  
7           political subdivision of the state to levy any tax or to make any appropriation for  
8           payment of the bonds. The authority may not pledge its full faith and credit to the  
9           payment of bonds issued under this chapter.

10          (2) Nothing in this chapter authorizes the authority to create a debt of the state,  
11          and all bonds issued by the authority under this chapter are payable, and shall state  
12          that they are payable, solely from the special fund containing the assessments and  
13          other moneys pledged for their payment in accordance with the bond resolution  
14          authorizing their issuance or in any trust agreement or trust indenture entered into  
15          to provide terms and conditions for the bonds. The state is not liable for the payment  
16          of the principal of or interest on any bonds of the authority or for the performance  
17          of any pledge, obligation, or agreement that is undertaken by the authority. The  
18          breach of any pledge, obligation, or agreement undertaken by the authority does not  
19          impose any pecuniary liability upon the state or any charge upon its general credit  
20          or against its taxing power.

21          **279.11 State pledge.** The state pledges to and agrees with the holders of bonds  
22          issued under this chapter, and with persons that enter into contracts with the  
23          authority under this chapter, that the state will not limit or alter the rights vested  
24          in the authority before the authority has fully met and discharged the bonds,  
25          including any interest due on the bonds, and has fully performed its contracts, unless

1 adequate provision is made by law for the protection of the bondholders or persons  
2 entering into contracts with the authority.

3 **279.17 Trust funds.** All moneys received by the authority, whether as  
4 proceeds from the sale of bonds or as assessments or fees, shall be considered to be  
5 trust funds to be held and applied solely as provided in this chapter. Any officer with  
6 whom, or any bank or trust company with which, those moneys are deposited shall  
7 act as trustee of the moneys and shall hold and apply the moneys for the purposes  
8 of this chapter, subject to any regulations that this chapter and the bond resolution  
9 authorizing the bonds of any issue provide.

10 **279.18 Rights of bondholders.** Any holder of bonds issued under this  
11 chapter or trustee under a trust agreement, trust indenture, or deed of trust entered  
12 into under this chapter may, by any suitable form of legal proceedings, protect and  
13 enforce any rights under the laws of this state or granted by the bond resolution,  
14 except to the extent that the rights of the bondholder or trustee are restricted by the  
15 bond resolution. These rights include the right to compel the performance of all  
16 duties of the authority required by this chapter or the bond resolution; to enjoin  
17 unlawful activities; and in the event of default with respect to the payment of any  
18 principal of and the premium, if any, and interest on any bond or in the performance  
19 of any covenant or agreement on the part of the authority in the bond resolution, to  
20 apply to a court to appoint a receiver with full power to pay, and to provide for  
21 payment of, principal of and premium, if any, and interest on the bonds, and with the  
22 powers, subject to the direction of the court, as are permitted by law and are accorded  
23 receivers, excluding any power to pledge additional revenues of the authority to the  
24 payment of the principal, premium, and interest.

1           **279.19 Investment of funds.** (1) The authority may invest any funds in any  
2 of the following:

3           (a) Bonds, notes, certificates of indebtedness, treasury bills, or other securities  
4 constituting direct obligations of the United States or obligations the principal and  
5 interest of which are guaranteed by the United States.

6           (b) Certificates of deposit or time deposits constituting direct obligations of any  
7 bank that are insured by the federal deposit insurance corporation.

8           (c) Certificates of deposit constituting direct obligations of any credit union that  
9 are insured by the national board, as defined in s. 186.01 (3m).

10          (d) Certificates of deposit constituting direct obligations of any savings and  
11 loan association or savings bank that are insured by the federal deposit insurance  
12 corporation.

13          (e) Short-term discount obligations of the federal national mortgage  
14 association.

15          (f) Any of the investments provided under s. 66.0603 (1m) (a).

16          **(2)** Any securities described in sub. (1) may be purchased at the offering or  
17 market price of the securities at the time of purchase.

18           **279.20 Investment authorization.** The bonds of the authority are securities  
19 in which all public officers and bodies of this state; all political subdivisions and their  
20 public officers; all banks, trust companies, savings banks and institutions, savings  
21 and loan associations, and investment companies; and all personal representatives,  
22 guardians, trustees, and other fiduciaries may legally invest any sinking funds,  
23 moneys, or other funds belonging to them or within their control.

24           **279.21 Reports and records.** (1) The authority shall keep an accurate  
25 account of all of its activities and of all of its receipts and expenditures, and shall

1 annually in January make a report of its activities, receipts, and expenditures to the  
2 governor and to the chief clerk of each house of the legislature, for distribution to the  
3 legislature under s. 13.172 (2). The reports shall be in a form approved by the state  
4 auditor. The state auditor may investigate the affairs of the authority, may examine  
5 the property and records of the authority, and may prescribe methods of accounting  
6 and the rendering of periodical reports in relation to activities undertaken by the  
7 authority.

8 (2) The authority, annually on January 15, shall file with the department of  
9 administration and the joint legislative council a complete and current listing of all  
10 forms, reports, and papers required by the authority to be completed by any person,  
11 other than a governmental body, as a condition of obtaining the approval of the  
12 authority or for any other reason. The authority shall attach a blank copy of each  
13 such form, report, or paper to the listing.”.

14 X **\*b0059/1.2\* 947.** Page 1401, line 18: delete the material beginning with that  
15 line and ending with page 1402, line 11.

16 X **\*b0073/1.2\* 948.** Page 1402, line 12: delete lines 12 to 15.

17 X **\*b0073/1.3\* 949.** Page 1402, line 17: delete “\$99,100,000” and substitute  
18 “\$114,700,000”.

19 X **\*b0073/1.4\* 950.** Page 1402, line 21: delete “\$2,700,000 \$3,400,000” and  
20 substitute “\$2,700,000”.

21 X **\*b0073/1.5\* 951.** Page 1403, line 1: delete “\$16,700,000” and substitute  
22 “\$13,400,000”.

23 X **\*b0114/1.2\* 952.** Page 1404, line 18: after that line insert:

24 X **\*b0114/1.2\* “SECTION 3081pb.** 281.75 (title) of the statutes is amended to read:

1           **281.75 (title) Compensation for well contamination and abandonment.**

2           **\*b0114/1.2\* SECTION 3081pc.** 281.75 (1) (h) of the statutes is amended to read:

3           281.75 (1) (h) “Well,” if not followed by the words, “subject to abandonment,”

4           means an excavation or opening in the ground made by boring, drilling or driving for  
5           the purpose of obtaining a supply of groundwater. “Well” does not include dug wells.

6           **\*b0114/1.2\* SECTION 3081pd.** 281.75 (1) (i) of the statutes is created to read:

7           281.75 (1) (i) “Well subject to abandonment” means a well that is required to  
8           be abandoned under s. NR 812.26 (2) (a), Wis. Adm. Code, or that the department  
9           may require to be abandoned under s. NR 812.26 (2) (b), Wis. Adm. Code.

10          **\*b0114/1.2\* SECTION 3081pe.** 281.75 (2) (f) of the statutes is created to read:

11          281.75 (2) (f) Establish requirements for the filling and sealing of wells subject  
12          to abandonment.

13          **\*b0114/1.2\* SECTION 3081pf.** 281.75 (3) (a) of the statutes is renumbered

14          281.75 (3) and amended to read:

15          281.75 (3) ~~WELLS FOR WHICH A CLAIM MAY BE SUBMITTED; SUNSET DATE.~~ A claim  
16          may be submitted for a private water supply which, at the time of submitting the  
17          claim, is contaminated or for a well subject to abandonment.

18          **\*b0114/1.2\* SECTION 3081pg.** 281.75 (3) (b) of the statutes is repealed.

19          **\*b0114/1.2\* SECTION 3081ph.** 281.75 (4) (a) of the statutes is amended to read:

20          281.75 (4) (a) Except as provided under par. (b), a landowner or lessee of  
21          property on which is located a contaminated private water supply or a well subject  
22          to abandonment, or the spouse, dependent, heir, assign or legal representative of the  
23          landowner or lessee, may submit a claim under this section.

24          **\*b0114/1.2\* SECTION 3081pi.** 281.75 (4m) (a) of the statutes is amended to

25          read:

1           281.75 (4m) (a) In order to be eligible for an award under this section, the  
2           annual family income of the landowner or lessee of property on which is located a  
3           contaminated water supply or a well subject to abandonment may not exceed  
4           \$65,000.

5           ↘ **\*b0114/1.2\* SECTION 3081pj.** 281.75 (5) (b) 1. of the statutes is amended to  
6           read:

7           281.75 (5) (b) 1. Test results which show that the private water supply is  
8           contaminated, as defined under sub. (1) (b) 1. or 2., ~~or~~ information to show that the  
9           private water supply is contaminated as defined under sub. (1) (b) 3., or information  
10          to show that the well is a well subject to abandonment;

11          ↘ **\*b0114/1.2\* SECTION 3081pk.** 281.75 (5) (b) 2. of the statutes is amended to  
12          read:

13          281.75 (5) (b) 2. Any If the claim is based on a contaminated private water  
14          supply, any information available to the claimant regarding possible sources of  
15          contamination of the private water supply; and

16          ↘ **\*b0114/1.2\* SECTION 3081pL.** 281.75 (5) (d) 1. of the statutes is amended to  
17          read:

18          281.75 (5) (d) 1. Enter the property where the private water supply or well  
19          subject to abandonment is located during normal business hours and conduct any  
20          investigations or tests necessary to verify the claim; and

21          ↘ **\*b0114/1.2\* SECTION 3081pm.** 281.75 (5) (d) 2. of the statutes is amended to  
22          read:

23          281.75 (5) (d) 2. ~~Coöperate~~ If the claim is based on a contaminated private  
24          water supply, cooperate with the state in any administrative, civil or criminal action



1 involving a person or activity alleged to have caused the private water supply to  
2 become contaminated.

3 ↘ **\*b0114/1.2\* SECTION 3081pn.** 281.75 (5) (e) of the statutes is amended to read:

4 281.75 (5) (e) The department shall consolidate claims if more than one  
5 claimant submits a claim for the same private water supply or for the same well  
6 subject to abandonment.

7 ↘ **\*b0114/1.2\* SECTION 3081pq.** 281.75 (7) (a) of the statutes is amended to read:

8 281.75 (7) (a) If the department finds that the claimant meets all the  
9 requirements of this section and rules promulgated under this section and that the  
10 private water supply is contaminated or that the well is a well subject to  
11 abandonment, the department shall issue an award. The award may not pay more  
12 than 75% of the eligible costs. The award may not pay any portion of eligible costs  
13 in excess of \$12,000.

14 ↘ **\*b0114/1.2\* SECTION 3081pr.** 281.75 (7) (c) 1. of the statutes is amended to  
15 read:

16 281.75 (7) (c) 1. ~~The~~ If the claim is based on a contaminated private water  
17 supply, the cost of obtaining an alternate water supply;

18 ↘ **\*b0114/1.2\* SECTION 3081ps.** 281.75 (7) (c) 2. (intro.) of the statutes is  
19 amended to read:

20 281.75 (7) (c) 2. (intro.) ~~The~~ If the claim is based on a contaminated private  
21 water supply, the cost of any one of the following:

22 ↘ **\*b0114/1.2\* SECTION 3081pt.** 281.75 (7) (c) 3. of the statutes is amended to  
23 read:

1           281.75 (7) (c) 3. The cost of abandoning a contaminated private water supply,  
2   if a new private water supply is constructed or, if connection to a public or private  
3   water supply is provided, or if the claim is based on a well subject to abandonment;

4    **\*b0114/1.2\* SECTION 3081pu.** 281.75 (7) (c) 4. of the statutes is amended to  
5   read:

6           281.75 (7) (c) 4. The cost of obtaining 2 tests to show that the private water  
7   supply was contaminated if the claim is based on a contaminated private water  
8   supply and the cost of those tests was originally paid by the claimant;

9    **\*b0114/1.2\* SECTION 3081pv.** 281.75 (7) (c) 5. of the statutes is amended to  
10 read:

11           281.75 (7) (c) 5. ~~Purchasing~~ The cost of purchasing and installing a pump, if  
12 the claim is based on a contaminated private water supply and a new pump is  
13 necessary for the new or reconstructed private water supply; and

14   **\*b0114/1.2\* SECTION 3081pw.** 281.75 (7) (c) 6. of the statutes is amended to  
15 read:

16           281.75 (7) (c) 6. ~~Relocating~~ If the claim is based on a contaminated private  
17 water supply, the cost of relocating pipes, as necessary, to connect the replacement  
18 water supply to the buildings served by it.

19   **\*b0114/1.2\* SECTION 3081px.** 281.75 (7) (c) 7. of the statutes is amended to  
20 read:

21           281.75 (7) (c) 7. If the claim is based on a contaminated water supply that is  
22 eligible under sub. (11) (ae), the cost of properly abandoning any improperly  
23 abandoned private water supply located on the property owned or leased by the  
24 claimant.

1       **\*b0114/1.2\* SECTION 3081py.** 281.75 (8) (intro.) of the statutes is renumbered  
2       281.75 (8) and amended to read:

3               281.75 (8) COPAYMENT. The department shall require a payment by the  
4       claimant equal to the total of the following: copayment of \$250 unless the claim is  
5       solely for well abandonment.

6       **\*b0114/1.2\* SECTION 3081pz.** 281.75 (8) (a) and (b) of the statutes are  
7       repealed.

8       **\*b0114/1.2\* SECTION 3081qb.** 281.75 (11) (a) 4. of the statutes is amended to  
9       read:

10              281.75 (11) (a) 4. One If the claim is based on a contaminated private water  
11       supply, one or more of the contaminants upon which the claim is based was  
12       introduced into the well through the plumbing connected to the well.

13       **\*b0114/1.2\* SECTION 3081qc.** 281.75 (11) (a) 5. of the statutes is amended to  
14       read:

15              281.75 (11) (a) 5. One If the claim is based on a contaminated private water  
16       supply, one or more of the contaminants upon which the claim is based was  
17       introduced into the well intentionally by a claimant or a person who would be directly  
18       benefited by payment of the claim.

19       **\*b0114/1.2\* SECTION 3081qd.** 281.75 (11) (a) 6. of the statutes is amended to  
20       read:

21              281.75 (11) (a) 6. All If the claim is based on a contaminated private water  
22       supply, all of the contaminants upon which the claim is based are naturally occurring  
23       substances and the concentration of the contaminants in water produced by the well  
24       does not significantly exceed the background concentration of the contaminants in  
25       groundwater at that location.